

ALLEGED SHIPMENT: On or about March 21, 1947, from the State of New York into the State of New Jersey.

NATURE OF CHARGE: Misbranding, Section 502 (a), the statement "Relax While Reducing" appearing on the label of the *Marvel Bath* was false and misleading, since it represented and suggested that the *Marvel Bath* and the *Marvel Cream* would be efficacious to cause the user to lose weight, whereas the products would not be efficacious to cause the user to lose weight.

DISPOSITION: September 3, 1948. A plea of guilty having been entered, the court imposed a fine of \$500.

2488. Misbranding of Holly Bath and Holly Cream. U. S. v. Hollywood Vita Products Co. Plea of nolo contendere. Fine, \$250. (F. D. C. No. 24273. Sample No. 36317-K.)

INFORMATION FILED: July 21, 1948, Southern District of California, against the Hollywood Vita Products Co., a partnership, Hollywood, Calif.

ALLEGED SHIPMENT: On or about October 13, 1947, from the State of California into the State of Washington.

PRODUCT: Analysis of the *Holly Bath* showed that it consisted essentially of epsom salt, sulfur, and a small proportion of pine oil, and that the *Holly Cream* consisted essentially of epsom salt, soap, water and perfume.

NATURE OF CHARGE: Misbranding, Section 502 (a), the statement "Relax While Reducing," displayed upon the package containing the *Holly Bath*, was false and misleading. This statement represented and suggested that the *Holly Bath* and *Holly Cream* would be efficacious to cause the user to lose weight, whereas they would not be efficacious for such purpose.

DISPOSITION: On August 19, 1948, a motion to dismiss was filed on behalf of the defendant on the ground that the information did not state facts sufficient to show a violation of the statute. After consideration of the briefs of the parties, the court, on August 30, 1948, denied the motion. A plea of nolo contendere was thereupon entered, and on September 13, 1948, the court imposed a fine of \$250.

2489. Misbranding of reducing and health bath and cream. U. S. v. Margaret Sevier (Dr. Ferenz Michel's Laboratories). Plea of nolo contendere. Fine, \$50. (F. D. C. No. 24246. Sample Nos. 66338-H, 66339-H.)

INFORMATION FILED: April 7, 1948, Eastern District of Pennsylvania, against Margaret Sevier, trading as Dr. Ferenz Michel's Laboratories, Philadelphia, Pa.

ALLEGED SHIPMENT: On or about May 29, 1947, from the State of Pennsylvania into the State of New Jersey.

PRODUCT: Analysis disclosed that the bath preparation consisted essentially of epsom salt, with a small amount of a volatile oil resembling pine oil, and that the cream preparation resembled vanishing cream and possessed an odor of methyl salicylate.

LABEL, IN PART: "Dr. Ferenz Michel's Reducing & Health Bath [or "Cream"]."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statements "Reducing & Health Bath A Reducing Aid * * * Reducing Bath * * * Excellent Aid in the relief of Rheumatic and Arthritis Pains," borne on the label of the bath preparation, and the statement "An Aid For Reducing," borne on the label of the cream preparation, were false and misleading. The bath preparation would not be efficacious as a reducing aid and as a health aid, and it would not be efficacious to furnish relief from rheumatic and arthritic pains; and the cream preparation would not be efficacious as a reducing aid.

DISPOSITION: June 7, 1948. A plea of nolo contendere having been entered, the court imposed a fine of \$50.

2490. Misbranding of Slenda-Bath. U. S. v. 70 Cartons, etc. (F. D. C. No. 24721. Sample No. 15158-K.)

LIBEL FILED: April 12, 1948, Western District of Michigan.

ALLEGED SHIPMENT: On or about March 17, 1943, by Richard Faxon Co., from Chicago, Ill.

PRODUCT: 70 cartons, each containing 10 herb packets, of *Slenda-Bath* at Grand Rapids, Mich., together with one plastic cape and a number of circulars entitled "Reduce While You Bathe," which were shipped with the product.